

CHAPTER NO. 759

HOUSE BILL NO. 2437

By Representative Whitson

Substituted for: Senate Bill No. 2573

By Senator Haun

AN ACT to amend Tennessee Code Annotated, Section 7-82-307, relative to utility districts in counties having a population of not less than sixteen thousand (16,000) nor more than sixteen thousand five hundred (16,500), according to the 1980 Federal Census or any subsequent Federal Census.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-82-307, is amended by deleting subsection (s) in its entirety and substituting instead the following new language:

(s)(1) In any water utility district having a service area which lies entirely within any county having a population of not less than sixteen thousand (16,000) nor more than sixteen thousand five hundred (16,500) according to the 1980 Federal Census or any subsequent Federal Census, there shall be a three (3) member board of commissioners, with each member of such board serving four-year terms.

(2) All vacancies occurring after April 3, 1984, on the board of commissioners in such water utility districts, including vacancies created by death, resignation, disability, forfeiture of office, or expiration of term of office, shall be filled in the following manner:

At least thirty (30) days prior to a meeting scheduled by the board for the purpose of filling a vacancy in the office of water utility district commissioner, the incumbent water utility district commissioners shall mail written notice of such meeting to all subscribers of the water utility district. In the case of an expiration of term of office, such notice shall be mailed at least thirty (30) days prior to such expiration; in all other cases, notice shall be mailed within two (2) weeks of the occurrence of the vacancy. Such notice shall include, but shall not necessarily be limited to, information identifying the purpose, time and location of the scheduled meeting.

(3) At the meeting, nominations shall be made by the subscribers in attendance, but recommendations may be made by the board of commissioners of the water utility district, or by the governing body in such counties. All nominees shall be residents of the district and subscribers of the water utility in which a board vacancy exists.


(4) A majority of the subscribers present and voting at the meeting shall select a person to fill the vacant office. After April 23, 1992, a plurality of the subscribers of each water utility district, having a service area which lies entirely within a county described within subdivision (s)(1), present and voting at the meeting, shall select a person to fill the vacant office.


(5) The incumbent commissioners of the water utility district shall submit the name of the person selected to the County Legislative Body, which shall confirm such selection; provided, that the person meets the residency and other requirements set out in subdivision (s)(3).

(6) In the event the County Legislative Body refuses to confirm, another meeting of the subscribers shall be scheduled by the board as provided in this subsection.


SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.

PASSED: April 1, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 16th day of April 1998


DON SUNDQUIST, GOVERNOR